

Declaratory  
Improvement Res. No. 839-1951

which provides for the opening of  
a 14 foot wide alley between Twenty-  
fourth Avenue and Ontario Street  
from Paul Street to McKinley Avenue

Resolution Adopted:

April 12, 1951

Confirmed:

May 24, 1951

~~Bids Received:~~

~~Contract Awarded:~~

~~Contract and Bond:~~

~~Contractor:~~

~~Reported Completed:~~

Assessment Roll Confirmed:

July 19, 1951

839

DECLARATORY RESOLUTION No. **839** - 1951

For the ~~Vacation~~ - Opening - ~~Condemnation of right of way for utility purposes~~ of a fourteen (14) foot wide alley between TWENTY-FOURTH AVENUE and ONTARIO STREET from PAUL STREET to MCKINLEY AVENUE.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to open a fourteen (14) foot wide alley between TWENTY-FOURTH AVENUE and ONTARIO STREET from the east property line of MCKINLEY AVENUE to the west property line of PAUL STREET across the south seven (7) feet of Lots 7 to 23, Brooklyn Heights Addition and the north seven (7) feet of Lots 24 to 40, Brooklyn Heights Addition.

All as shown by a plan of such proposed Opening - ~~Vacation~~ - ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana - The opening of said alley as above described is to be made by condemning and appropriating for alley purposes the south seven (7) feet of Lots 7 to 23, Brooklyn Heights Addition, and the north seven (7) feet of Lots 24 to 40, Brooklyn Heights Addition.

The cost of said ~~Vacation~~ - Opening - ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such ~~Vacation~~ - Opening - ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 7 to 23, both inclusive in Brooklyn Heights Addition, and Lots 24 to 40, both inclusive in Brooklyn Heights Addition. Both Additions to the City of Fort Wayne, Indiana.

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by <sup>said</sup> above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental thereof.

~~The vacation of the above described Street and alleys shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described opening lie in Section 10, Wayne Township 30 North, Range 12 East, and wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 12th DAY OF April 19 51.

Attest: John M. Schwartz  
Secretary Board of Public Works.

Frank A. Berch  
Chamney L. Griffith  
Board of Public Works.



N

2025

40

50

ONTARIO

STREET

50

50

2025

40

40

44.7

AVENUE

STREET

143

23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7

BROOKLYN

HEIGHTS

14

4

OPEN

4

14

12

2025

40

40

44.7

AVENUE

PAUL

143

24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40

ADDITION

50

TWENTY-FOURTH

AVENUE

50

50

2025

50

City Of Fort Wayne  
Indiana



OFFICE OF  
BOARD OF PUBLIC WORKS

March 8, 1951

FORT WAYNE, INDIANA

Mr. C. Ross Lindemuth  
City Engineer  
City Hall

Dear Sir:

You are hereby instructed to prepare plans for the condemnation of a twelve (12) foot right-of-way for alley purposes whose center line is as follows: beginning at the southeast corner of Lot 7, Brooklyn Heights Addition, thence west to the southwest corner of Lot 7, Brooklyn Heights Addition, thence west to the southwest corner of Lot 23, Brooklyn Heights Addition, said alley being between Twenty-fourth Avenue and Ontario Street, extending from Paul Street to McKinley Avenue.

Please check with Board Office before completing.

Yours very truly,

ATTEST

*J. Schwartz*  
SECRETARY

*Frank W. Harsh*  
*Chauncey L. Griffith*  
BOARD OF PUBLIC WORKS



# P E T I T I O N

8531

Fort Wayne, Ind., March 7, 1951

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real

estate on Ontario Street and 24th Avenue, from  
the west property line of Paul Street to the east property line of McKinley Avenue.

respectfully petition for the passage of a resolution providing for the condemnation of a fourteen (14) foot right-of-way for alley purposes whose center line is as follows: beginning at the southeast corner of Lot 7, Brooklyn Heights Addition; thence west to the southwest corner of Lot 23, Brooklyn Heights Addition; said alley being between Twenty-fourth Ave. and Ontario St. St. Street extending from Paul St. to McKinley Ave.

NAME	14 foot Alley OK by all	ADDRESS
Theodore R. Gimme	OK	2205 Ontario Petitioner
Ester A. Gimme	OK	2205 Ontario
Jesse Bender	OK	2317 Ontario
Lillian M. Bender	OK	2232 - 24th St
Frank Heroney	OK	2317 Ontario
Emelid Heroney	OK	2317 Ontario
Doyle L. Sheets	OK	2317 Ontario St.
Marianne E. Sheets	OK	2317 Ontario St.
Goldie E. Waikel	OK	2321 Ontario St.
Voneta Kinder	OK	2210 - 24th Ave.
Earl Kinder	OK	2210 - 24th Ave.
Virgil M. Kinder	OK	2226 24th Ave.
May Kinder	OK	2226 24th St
David J. Byrness	OK	2332 24th St.
<del>David L. Byrness</del>	<del>OK</del>	<del>3102 Highland Ave</del>
<del>David L. Byrness</del>	<del>OK</del>	<del>3102 Highland Ave</del>
David Rodman	OK	2221 Ontario
Marcella L. Rodman	OK	2221 Ontario
Harry Rodman	OK	2338 24th St.

COUNCILMAN:

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## Petition for Passage

of a Resolution for

the condemnation of a 14 foot  
right-of-way for alley purposes  
whose center line is as follows:

beginning at the southeast corner  
of Lot 7, Brooklyn Heights Addition  
~~thence west to the southwest~~  
corner of Lot 7, Brooklyn Heights  
Addition, thence west to the  
~~southwest corner of Lot 23,~~  
Brooklyn Heights Addition, said  
alley being between Twenty-fourth  
from  
Avenue and Ontario Street, extending  
from Paul Street to McKinley Avenue..  
to

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Filed with the Board of Public Works

Plans Ordered: March 8, 1951

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STATE OF INDIANA

SS


COUNTY OF ALLEN

Comes now Jesse R. Bender, who being duly sworn upon his oath deposes and says that he is the owner of Lot #20, Brooklyn Heights Addition to the City of Fort Wayne, Allen County, Indiana.

Affiant further says that he is also the owner of a Tar Paper Shack that extends a foot or so on the 14 foot right-of-way of Alley that the Board of Works intends to open from Paul Street to McKinley Avenue.

Affiant further says that he will move above mentioned Shack, at his own expense, anytime the City grades or paves said Alley.

And further affiant sayeth naught.

*Jesse R Bender*

Jesse R. Bender

Subscribed and sworn to before me this 14th day of March, 1951

*August C. Klenke*

August C. Klenke - Notary Public

My commission expires 2-15-52.

